



CONGRESS OF THE UNITED STATES

HOUSE OF REPRESENTATIVES
WASHINGTON, D.C.

KEVIN BRADY
MEMBER OF CONGRESS
8TH DISTRICT OF TEXAS

DEPUTY WHIP

CHAIRMAN
COMMITTEE ON
WAYS AND MEANS

JOINT COMMITTEE ON TAXATION

February 5, 2016

The Honorable Brandon Creighton
P.O. Box 12068, Capitol Station
Austin, TX 78711

The Honorable Mark Keough
P.O. Box 2910
Austin, TX 78768

The Honorable Robert Nichols
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The Honorable Will Metcalf
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The Honorable Charles Schwertner
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The Honorable John Otto
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The Honorable Trent Ashby
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The Honorable Leighton Schubert
P.O. Box 2910
Austin, TX 78768

The Honorable Cecil Bell
P.O. Box 2910
Austin, TX 78768

Dear Senators and Representatives:

Thank you for your leadership and hard work for our Texas communities. I write today regarding the proposed Dallas-to-Houston High-Speed Rail project, and am requesting your leadership in determining if Texas Central Partners has eminent domain power. I question that it does.

I commend your efforts during the past legislative session on behalf of our rural counties and communities impacted by this project. Your work to protect the rural nature of many of our communities is deeply appreciated.

As I wrote my constituents last year, I am strongly opposed to the rural route as designated by Texas Central Partners. The proposed route divides and damages rural counties, communities and farms in my 8th Congressional District, including Grimes, Madison and Leon counties. This route fractures our rural lifestyle without any direct economic or transportation benefits to our communities, families and businesses.

The Texas Central Partners Dallas-to-Houston High-Speed Rail project is a private project wholly within Texas and is not currently a federal project. Nor is it regulated as a railroad under federal law and to my understanding has not received federal funding.

Because it is a state project I and my constituents question whether Texas Central Partners has eminent domain authority under Texas law. Taking property against a landowner's will, especially land that may have been in the family for generations, is a serious matter.

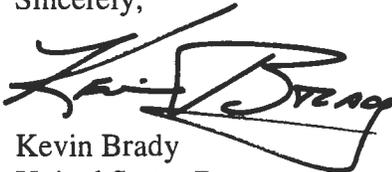
I believe this question might best be answered by the Texas Attorney General. As such, I respectfully seek your assistance in requesting an opinion of the Texas Attorney General's office as to whether this private project has eminent domain authority under Texas law. This information would be helpful in providing the best information in response to constituent concerns.

I strongly support transportation infrastructure that addresses the dynamic growth of Texas but transportation improvements need to work *for* local communities rather than against them. In my view, the rural route doesn't meet that test. The only acceptable option for the Texas Central Partners high-speed rail project belongs alongside the already developed I-45 route – if the project is even viable at all.

This isn't my first high-speed rail dispute. As a Texas state legislator representing many of these same rural counties, I helped lead the successful 1990's fight against the proposed "bullet train" which cut through much of the same rural countryside with much of the same damage. I filed common-sense legislation in Austin to restrict the use of eminent domain and testified aggressively against the project before the Texas Department of Transportation. It was a difficult battle but in the end we prevailed in raising enough pressure at the state level that the high-speed rail project was scrapped.

Again, thank you for the work each of you have done fighting for our rural communities. I expect other developments in this project as it goes along. Let's keep working together on this.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Brady". The signature is stylized and somewhat cursive, with the first name "Kevin" written in a larger, more prominent script than the last name "Brady".

Kevin Brady
United States Representative
Eighth District of Texas